

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 7041

BILL NUMBER: SB 353

DATE PREPARED: Feb 8, 1999

BILL AMENDED:

SUBJECT: Cass Superior Court.

FISCAL ANALYST: Susan Preble

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FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

STATE IMPACT	FY 1999	FY 2000	FY 2001
State Revenues			
State Expenditures		91,735	110,575
Net Increase (Decrease)		(91,735)	(110,575)

Summary of Legislation: This bill establishes Cass Superior Court No. 2 and renames the current Cass Superior Court as Cass Superior Court No. 1 on January 1, 2001. It provides for the initial election of the judge of Cass Superior Court No. 2 at the general election held on November 7, 2000. It allows the judge of the Cass Circuit Court to appoint one full-time magistrate to serve the Cass Circuit Court and the Cass Superior Court until January 1, 2001. It also makes related changes.

Effective Date: July 1, 1999; January 1, 2001.

Explanation of State Expenditures: (Revised) This bill adds a superior court judge who takes office on January 1, 2001 and a magistrate for serves from July 1, 1999 to January 1, 2001. The FY 2000 (July 1, 1999 to June 30, 2000) cost of \$91,735 is the cost of funding a magistrate for one full fiscal year. The FY 2001 (July 1, 2000 to June 30, 2001) cost of \$110,575 is the cost of funding a magistrate for the first six months of the fiscal year, and a judge beginning the second six months of the same year [\$45,867 + \$64,708].

The cost for one additional judge incurred for six months of FY 2001 is \$64,708 which includes:

- (1) 6 months of salary, or \$45,000 (the annual base salary is \$90,000);
- (2) fringe benefits of \$4,482 (calculated at 9.96% of the base salary);

- (3) health, dental and vision insurance expenses of \$2,426;
- (4) State General Fund contribution to the Judges Retirement Fund of \$12,000; and
- (5)\$800 in additional training, mailing, and travel reimbursement expenses incurred by the Indiana Judicial Center.

The new magistrate can serve the Cass County Superior and Circuit Courts effective July 1, 1999. The cost for one magistrate incurred for FY 2000 is \$91,735 which includes:

- (1) \$72,000 for annual salary;
- (2) \$14,083 for fringe benefits [this includes the contribution for the Public Employees' Retirement Fund (PERF), of which magistrates are members];
- (3) \$4,852 for health/dental/vision insurance and
- (4) \$800 for costs incurred by the Indiana Judicial Conference for training, publications, and conferences.

The magistrate will serve until January 1, 2001. The cost of one magistrate for six months of FY 2001 is \$45,867.

Explanation of State Revenues: If the new court processes or generates more cases, there could be an acceleration in the collection of court fee revenue. Revenue could be generated if criminal and infraction cases that are currently pending were brought to trial because the fines associated with these types of cases are assessed upon conviction. The state share of revenue from all fees, fines, and assessments collected by trial courts in Cass County was \$300,875 in CY 1997.

Explanation of Local Expenditures: The costs to Cass County to create one additional superior court may include (1) an estimated \$5,000 county supplement to the new judge's base salary; (2) salaries for an additional bailiff and court reporter; and (3) additional indeterminable costs for the provision of court space.

Explanation of Local Revenues: If the new court processes or generates more cases, there could be an acceleration in the collection of court costs and other court-related fees. In CY 1997, the county share of revenues from court fees, user fees, and other fees assessed by the clerk of the court was \$743,889.

State Agencies Affected: Division of State Court Administration; Indiana Supreme Court; Indiana Judicial Center.

Local Agencies Affected: Cass County Courts

Information Sources: 1997 Indiana Judicial Report, Vol.III; State Budget Agency; Indiana Judicial Center; McCready and Keene, Inc.